UNITED
NATIONS

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Economic and Social
Council

Distr.
GENERAL

E/CN.4/Sub.2/1997/NGO/4
23 July 1997

ENGLISH
Original: SPANISH

COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of Discrimination
and Protection of Minorities
Forty-ninth session
Item 3 (a) of the provisional agenda

COMPREHENSIVE EXAMINATION OF THEMATIC ISSUES RELATING TO THE ELIMINATION OF RACIAL DISCRIMINATION:

SITUATION OF MIGRANT WORKERS AND MEMBERS OF THEIR FAMILIES

Written statement submitted by the Commission for the Defence of Human Rights in Central America, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[15 July 1997]

GE.97-13048 (E)

1. The Commission for the Defence of Human Rights in Central America (CODEHUCA) believes that the situation of migrant workers and their families is a problem that calls for worldwide attention.

2. Individuals and their families migrate when they are marginalized or excluded within their countries of origin. In Central America, migration has long been a part of history. There are two prime reasons for this, which can operate alone and in conjunction: socio-economic exclusion, and political conditions.

3. Central America is a region in which Governments, the political class and the military have dominated all spheres of society. As to economic conditions, social investment has been and continues to be minimal. The lack of sources of employment; medical services in marked decline; few opportunities to study; and structural adjustment programmes have brought about an unprecedented migratory explosion.

4. Intolerance of ideas, a lack of personal freedoms and of the right to dissent and to be different, unsatisfactory administration of justice, and political persecution are the most noteworthy political features, all of which contributed to the armed conflicts of 1970-1980 in Central America, causing large-scale migrations as people struggled to save their own lives and improve their living conditions. Sadly, poor migrant workers are always poor, with few exceptions, because, as migrant workers, they are paid lower wages than the nationals of the host country.

5. For these reasons, Central America in the late 1970s and throughout the 1980s witnessed a massive exodus, in reaction to serious domestic armed conflicts, particularly in Guatemala, El Salvador, Honduras and Nicaragua.

6. The war severely affected the social, political, economic and cultural life of the region. The human toll paid by Guatemalan, Nicaraguan, Honduran and Salvadorian society was high and irreparable, especially in terms of loss of life, break-up of the family, the brain drain, lack of social investment and sources of employment. These were societies whose social fabric was torn apart.

7. As a consequence of serious violations of human rights, and as one way of safeguarding its physical integrity, the Central American diaspora spread to neighbouring countries in the region, Mexico, the United States, Canada and even to Europe. Central American migrant workers have never been accepted, but have instead been made the targets of discrimination and human rights violations in the host countries.

8. Fortunately, in the late 1980s, with the Esquipulas II Agreement, a political process conducive to ending the armed conflicts got under way in the region, culminating in the peace agreements in El Salvador in 1992; the 1989 elections in Nicaragua; and the Guatemala peace agreements of December 1996. It could theoretically be argued that Central America is experiencing new moments of democracy, but the root causes of the armed conflicts remain untouched, and poverty is on the rise. In Nicaragua, for example, 60 per cent of the economically active population can find no place in the labour market.

9. Many people believe that the neoliberal policies implemented just after the end of the armed conflicts are the main cause of the Central American economic crisis and the driving force behind the migrations. According to Alan Fajardo Reina, "The structural adjustment programmes are polarizing society and represent an economic model accompanied by a very exclusive political model, as a result of which part of the population is becoming a relative population, one which is superfluous in the model. This is what leads to migration. There is a population which becomes marginalized and stays on the fringes of the system operating under this model."

10. Because of its geographical situation, Costa Rica has begun to host swelling numbers of Nicaraguan immigrants. This immigration can be divided into two types: short-term and long-term. The former includes those Nicaraguans who come for the harvest and then return to their country. The latter includes those who decided in advance to move, either with their family or individually, in order to find better living conditions and to stay on permanently.

11. According to the authorities, this places a heavy burden on Costa Rica, because the Nicaraguan immigration is massive and demands the attention from the social services. The immigration authorities detain and deport persons without papers. Many Nicaraguans have complained of abuse by the authorities, who in some cases have beaten them up before deporting them. There are upwards of 600,000 Nicaraguans in Costa Rica, most of them without papers.

12. The Costa Rican Government, in conjunction with the Embassy of Nicaragua, is working on the legalization of thousands of Nicaraguans, who have received temporary work permits from the Ministry of Labour of Costa Rica.

13. At the same time, most Costa Ricans are xenophobic, frequently under the influence of the media, which portray the Nicaraguan immigrants in a bad light; the same happened with the Salvadorian refugees who fled to Costa Rica during the civil war in their country.

14. Another host country is Honduras, to which both Salvadorians and Nicaraguans have emigrated. The Honduran immigrants, especially the Garifuna, are heading towards the United States, and, as a result of living in another country with a different culture, are losing the cultural traits that kept them together as a group.

15. Central America exports migrants primarily Salvadorians, Nicaraguans and Hondurans, to the United States. In Los Angeles, California, alone there are 500,000 Salvadorians, who each year send $1.1 billion to their families back home. The United States dollar is the second most important currency in the Salvadorian economy. The State of Florida has also become a major area for Nicaraguans.

16. In these moves in search of better conditions, tragic situations occur. For example, immoral, greedy organized gangs, known as "coyotes", offer poor persons the chance to go to the United States. Hundreds of persons have been murdered, raped, assaulted or left to their fate in the desert en route. Migration is truly difficult, and migrant workers do not find a bed of roses at the other end.

17. In recent years the phenomenon has become more acute and the flow is greater than in the past. In addition, most migrant workers are undocumented, meaning they have no identification papers, because they have entered the country illegally. The costs of the move are very high, both for the migrants themselves and for the country they go to. In order to migrate, people have to sell belongings to cover the cost of the journey, which leads to financial difficulties in the family as well as broken emotional ties and the destruction of nuclear families.

18. Central American Governments have recently been trying to prevent the mass deportation of their nationals from the United States, arguing that their return in large numbers would have an adverse impact on the local economy. The Salvadorian President, Armando Calderón Sol, met with the United States Congress and White House staff last June to ask for the country's new immigration law to be "softened".

19. The United States finally halted the mass deportations of Central Americans, but that has not solved the problem, as the halt is temporary. One alarming factor faced by migrants to the United States is xenophobia, both at the official level and among the population, despite the fact that the nation was built by foreigners.

20. It is important to mention that, despite the existence of the 18 December 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, only six countries have ratified it, none of them from Central America. A campaign is needed at the diplomatic level to get the Convention ratified by the Member States of the United Nations.

21. Migration is not pleasant; it brings much suffering, family disruptions, anguish and insecurity, which is why legislation should be urgently adopted to help migrant workers and why the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families should be ratified. In addition, however, Governments are under an obligation to maintain universally acceptable conditions within their countries so that people can live and grow with the dignity to which all human beings aspire.

UNITED
NATIONS

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Economic and Social
Council

Distr.
GENERAL

E/CN.4/Sub.2/1997/NGO/5
23 July 1997

ENGLISH
Original: SPANISH

COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-ninth session
Item 4 (c) of the provisional agenda

REALIZATION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS:

QUESTION OF TRANSNATIONAL CORPORATIONS

Written statement by the Commission for the Defence of Human Rights in Central America, a non-governmental organization with special consultative status

The Secretary-General has received the following written statement for distribution in accordance with Economic and Social Council resolution 1296 (XLIV).

[15 July 1997]

1. The process of globalization is an economic struggle for the world market among the transnational corporations of the threesome, North America, European Union and Japan. The relative weight of the transnationals and their direct investments in today's world economy increasingly surpass the dimensions of national economies. Both factors have a direct negative effect on economic, social and cultural rights and on the right of peoples to self-determination and sovereignty over their wealth, natural resources and development.

2. In the case of Central America, Governments have, since the second half of the 1980s, reduced and simplified their tariffs on imports and progressively deregulated controls on foreign capital with a view to attracting foreign investment and job opportunities, chiefly from transnationals. At the present moment, the economic and political power of

these enterprises is so large that State intervention in the spheres in which they are engaged is minimal; thus, States have gradually lost their capacity to negotiate with these enterprises, those worst affected being the workers they employ.

3. Despite the economic advantages reaped by the transnationals through their exploitation of cheap resources and labour, the benefits received by the States are small and those that reach society as a whole much less. On the contrary, national competitiveness is eliminated through the monopolistic or oligopolistic business practices of the transnationals, and the operations of small producers, as well as infant national industries, are seriously harmed. In many cases, the national competitors have to close down when the domestic market is saturated, since the transnationals, instead of increasing the competitiveness of local undertakings, substitute for them.

4. Since the transnationals have their greatest impact in the agricultural sector and the free trade zones, it is important to note that these enterprises bear little or no relation to the needs or circumstances of the people of the host country. In the textile sector, which is one of the most important, most of the employees are women aged between 16 and 20, preference being given to unskilled unmarried women, although some have children. Their jobs need practically no qualifications and their wages are low. Employment tends to be unstable and to offer very little job security.

5. The working conditions offered by the "maquiladoras" are worse than those in undertakings in the same branch operating under other production arrangements. There is definite hostility on the part of entrepreneurs to the presence of trade unions and workers' organizations. In addition, subcontracting is increasing, which leads to an increase in unstructured employment and lower wages, part-time work and the elimination of social safeguards.

6. In the agricultural sector, transnational corporations engaged in agro-industry are generally export-oriented, large-scale and highly capital-intensive. The penetration of transnational corporations into the agricultural sector has frequently had negative repercussions on the local population and on national agricultural priorities. Employment in the sector is increasingly characterized by part-time or seasonal work and labour conditions often violate human rights. Because of the increasingly dependent status of seasonal workers and those employed by the hour or day, a large number of workers are denied a fair and reasonable wage. In the plantations owned by transnationals, many children are employed without the authorization of the State bodies concerned, being exposed as a result to hard and dangerous work. In addition, many of the plantations employ migrant workers, generally without papers, who are exploited for a mere pittance and have no social safety net.

7. The increasing use of agrochemical products on the plantations is a matter of particular concern. Transnationals manufacture most of the world's chlorine, which is used as a base for potentially harmful chemical products such as PCBs, DDT and dioxins. Midway through the 1970s, there was an explosive increase in the international trade in toxic chemical waste products; because of the promulgation of strict laws on waste disposal in

Europe and the United States, it became cheaper and easier for the transnationals to transfer the waste to regions such as Central America, where environmental protection laws were either less strict or non-existent.

8. This is the case with the agrochemical known as dibromochloropropane (DBCP), produced in the United States by Shell and the Dow Chemical Company, a highly toxic product employed in growing bananas and pineapples, the use of which made thousands of men sterile, not to mention the environmental damage caused. The production of this chemical was prohibited in the United States because of the proven sterility effect; nevertheless, and fully aware of its dire results, these companies exported it to Central America and other countries of the third world. At the present moment, thousands of men affected are seeking compensation from the United States courts. This has led some of the companies being sued to offer out-of-court settlements, whereby wretched sums are paid to each worker that in no way compensate for the damage caused.

9. It is obvious that the large transnational corporations are not interested in respect for human rights but rather in the profits they can make, regardless of whether they do so at the cost of violations of such rights as the right to health, to life, to physical integrity, to a healthy environment, and so on.

10. For these reasons, CODEHUCA, as a Central American regional human rights body, supports Sub-Commission resolution 1996/39 on the establishment by the Commission of a working group to study questions related to the effects of the working methods and activities of transnational corporations on economic, social and cultural rights and on the right to development. To this end, we request the group to investigate:

(a) The forms of subcontracting and contracting used by transnationals to the detriment of national and international labour legislation;

(b) The real - economic and social - benefits which the transnationals bring to the developing countries in which they are based, as compared with the damage they cause;

(c) The levels of discrimination and exploitation that predominate in the labour policies of the transnationals;

(d) Specific violations of economic, social and cultural rights by the transnationals;

(e) The respect shown by the transnationals for the agreements and principles set forth by the International Labour Organization (ILO) in regard to employer-employee relations.

11. In addition, the organization requests that an international legal framework or binding code of conduct should be established to regulate the behaviour of transnational corporations, in accordance with the universally accepted principles and norms of human rights.

UNITED
NATIONS

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Economic and Social
Council

Distr.
GENERAL

E/CN.4/Sub.2/1997/NGO/6
23 July 1997

ENGLISH
Original: SPANISH

COMMISSION ON HUMAN RIGHTS

Sub-Commission on Prevention of Discrimination
and Protection of Minorities
Forty-ninth session
Item 5 (b) of the provisional agenda

THE IMPLEMENTATION OF THE HUMAN RIGHTS OF WOMEN: THE ROLE AND EQUAL PROTECTION OF WOMEN IN DEVELOPMENT

Written statement submitted by the Commission for the Defence of Human Rights in Central America, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[15 July 1997]

1. The Commission for the Defence of Human Rights in Central America (CODEHUCA) is deeply concerned about the situation regarding the human rights of women and in matters relating to human development. For this reason, it wishes to urge Governments to implement and foster those rights, which are set out in legal instruments at both the regional and the international level.

2. Historically, the incorporation of new perspectives in human rights has necessarily entailed a process of reconceptualization of those rights. This creates a new paradigm in constructing the concepts of the integrality, universality and indivisibility of human rights. We cannot confine ourselves to a formal generality (of the rules) that might potentially involve inequality, because it fails to take account of the existing differences and the social disadvantages among various sectors and groups, especially in the case of women, as a result of discrimination, sexism, misogyny, feminicide, and therefore "it is a universality that is not equal and an equality that is not real". 1/

3. The processes of specifying those who enjoy human rights no longer look on the rights of human beings in general and in the abstract, but do so with reference to processes of gradual differentiation of persons in terms of their needs and interests, for the purposes of appropriate protection, recognition and promotion. 2/

4. In this respect, the processes of specification in modern international human rights law foster, by means of affirmative action and anti-discrimination legislation, a changeover from equality before the law to real equality. Accordingly, the generality or universality of the rules needs to be supplemented, and the obstacles that interfere with effective enjoyment of human rights, and thus with proper protection of them, must be overcome. 3/

5. The incorporation of this perspective in human rights stems chiefly from historical processes in which women have spoken out and become subjects of their own history and endeavour to be recognized as entitled to full rights. Two of the main endeavours in this process have been:

(a) The pursuit of equality, which, from the beginning of this century, especially in the 1950s, sought to eradicate discrimination against women. This became one of the main struggles of women throughout the world. Such discrimination was found essentially in the workplace, in view of the conditions that were inflicted above all on working women;

(b) The struggle to eradicate institutionalized violence against women, which has many social, cultural, political and family aspects, as well as an economic side, which includes development. 4/ The situation that prevailed for many decades subjected women to non-recognition of their dignity as human beings and strengthened the social impunity which permitted gender inequality.

6. This law, and all matters pertaining to human development, as part of an androcentric culture (in which man and everything relating to the male acts as the point of departure), turned into a human paradigm, without escaping myths which, imbued with androcentrism, display, reinforce and perpetuate unsuitable kinds of relations which socially accentuate the inferiority of women compared with men. 5/

7. This alleged inferiority was used as a pretext to create many discriminatory rules - both political and socio-cultural. One of the consequences of this system of discrimination is the current division between public and private life; women were relegated to the private world, and were made responsible for reproducing family life and for all activities relating to this socially and economically devalued function. 6/

8. Women were excluded and their material and spiritual possessions were expropriated, and they were kept from the benefits of development policies even though it is well known that they have helped to sustain and strengthen economies, ranging from emerging "primitive" economies to the sophisticated forms of production typical of the capitalist world.

9. Clearly, the principle of equality is not unique or absolute: on the contrary it is construed in different ways, depending on the ethical, philosophical and ideological values and principles on which it is based. Women are taking up the challenge at this historic moment in time, in a world of changing economies, marked by policies of globalization in which it is impossible to view development for each and every country in isolation.

10. At the present time, the demands of women are to move ahead and to influence the structures of political power and above all the benefits of development in the broadest sense. For this purpose, new concepts are emerging and various ways and means are being proposed both regionally and internationally to come to the rescue of the "traditional economy", which in turn includes appropriate use of natural resources, as well as recognition of the concealed work done by women in the so-called "care economy".

CODEHUCA, therefore urges all Governments to fulfil summit and world conference agreements and, more particularly, the Beijing agreements.

11. To this end, we draw on the Beijing Platform for Action, a programme which is designed to create the necessary conditions to empower women in society, which makes a more accurate diagnosis of the situation of women in regard to their human rights and the question of development on an equal footing, within the very real confines involved in our societies from the standpoint of inequality and discrimination.

12. Therefore, CODEHUCA, as a regional human rights body, supports the approach of women who reaffirm that the participation of women in economic activity continues to increase rapidly, thereby producing the most significant change in the labour market in recent decades, and that the increase in women's share of paid economic activity has been one of the most outstanding features of the process of urbanization. 7/

13. CODEHUCA also endorses the views and action of women concerning sustainable development when they contend that:

> "The challenge lies in creatively integrating <u>in a process of sustainable human development</u>, the feminine and the masculine, the personal and the political, the private and the public, the individual and the group, the social and the economic, the micro and the macro, the local and the national, the national and the regional, the regional and the global, the material and the human." 8/

14. On this basis, CODEHUCA will continue to urge Governments to comply with agreements, principles and laws based on equality and equity, which should also include human development with a gender perspective, for the purpose of building genuinely just and democratic societies.

Notes

1/ Roxana Arroyo Vargas, "Algunos elementos de análisis para la reconceptualización de los derechos humanos de los niñas/os y adolescentes trabajadoras/es de la calle", United Nations Latin American Institute for the Prevention of Crime and the Treatment of Offenders (UNLAI), San José, Costa Rica, 1994.

2/ On the topic of the processes of specification, see Gregorio Barra Martínez, Curso de Derechos Humanos Fundamentales, Universidad Carlos III, Madrid.

3/ Roxana Arroyo Vargas, "De la no discriminación por razones de sexo al reconocimiento de la violencia como una violación de los derechos humanos de las mujeres", dissertation, Universidad Carlos III, Madrid, 1995.

4/ Roxana Vasquez Sotelo and Giulia Tamayo Leon, "Violencia y Legalidad" in Sobre patriarcas, jerarcas, patrones y otros varones, UNLAI, Women, Justice and Gender Programme, San José, 1993.

5/ On the topic of androcentrism in law, see: Alda Facio Montejo, "Cuando el género suena cambios trae: Metodologia para el análisis de género del fenómeno legal", UNLAI, San José 1992 and "El derecho como Producto del Patriarcado", in Sobre Patriarcas, jerarcas, patrones y otros varones, op. cit.

6/ On the topic of specialization and classification, see: Marcela Lagarde, Identidad de género, Centre for Democratic Participation and Development, Managua, Nicaragua.

7/ "Agenda Política de Mujeres", San José, Costa Rica, 1997.

8/ Ibid.

UNITED
NATIONS

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Economic and Social
Council

Distr.
GENERAL

E/CN.4/Sub.2/1997/NGO/7
23 July 1997

ENGLISH
Original: SPANISH

COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-ninth session
Item 9 (b) of the provisional agenda

THE ADMINISTRATION OF JUSTICE AND THE HUMAN RIGHTS OF DETAINEES:

APPLICATION OF INTERNATIONAL STANDARDS CONCERNING THE HUMAN RIGHTS OF DETAINED JUVENILES

Written statement submitted by the Commission for the Defense of Human Rights in Central America, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[15 July 1997]

1. The Commission for the Defense of Human Rights in Central America (CODEHUCA) wishes to draw attention to the problems of detained juveniles in Central America.

2. Although all the States of Central America have signed and ratified the Convention on the Rights of the Child, the Convention is frequently breached and disregarded.

3. Boys and girls are constantly suffering violations of their rights. There are many places in which abuse occurs, and among the most hazardous are those that should be the most secure: their homes. After the home comes the street, where torturers, exploiters and rapists are lurking, treating street children as a breeding ground for their violence, sadism, prostitution, juvenile delinquency or drug addiction.

4. These violations of the rights and freedoms of juveniles are compounded by the lack of interest or the failure of States to protect children and by measures and policies of various State institutions that directly infringe their rights. This is mainly apparent in the juvenile judicial system, with its corollary of juvenile detention and deprivation of liberty.

5. When juveniles are detained, frequently in an arbitrary fashion, they are tortured, abused, subjected to physical and mental suffering, and their moral integrity is violated. When they are transferred to juvenile detention centres, which are not prisons, they are frequently raped by the wardens, as was the case in the Támara juvenile detention centre in Honduras, where two wardens, Avelino Péres López and Antonio Avila Zelaya, were sentenced to six years' imprisonment for the rape of an 11-year-old girl detainee.

6. Another illustration is the "El Carmen" correctional prison in San Pedro Sula, Honduras, from which 15 juveniles ran away on 20 June 1997 on account of ill-treatment and violence. All but three of the young escapees were recaptured. Two of the three, Sergio Castillo Landín and Marvín Javier Castro Orellana, both of whom were 16, were found dead on the day of their escape, presumably executed extrajudicially. They were found with bullet wounds in the head and other wounds. The last of the three, Miguel Angel Orellana, was also found dead one day later with facial bruising and several wounds on his body. These events were apparently acts of "social cleansing".

7. Unfortunately, Honduras is not the only country where such acts occur. In the light of the information provided by Casa Alianza, an organization which safeguards the human rights of street children and with which CODEHUCA is currently cooperating, there are sound reasons to support the proposal to appoint a special rapporteur to deal with the problem of the human rights of street children. In Guatemala, street children are tortured as a matter of course. Casa Alianza has drawn the attention of the United Nations Committee against Torture to 17 cases of torture of Guatemalan children living "in special circumstances", and has requested a visit to the country, where such offences remain unpunished owing to the corruption and inefficiency of the judicial administration.

8. Staff at the "Las Gaviotas" remand centre for male offenders in Guatemala, which provides comprehensive treatment for juvenile delinquents guilty of offences such as murder, rape, car theft, abduction, drug trafficking and weapons possession, have stated that the juveniles detained there on the orders of the judicial authorities are so dangerous that they have to run the centre like a prison, which makes it difficult to re-educate detainees for reinsertion into society. They add that the premises themselves make it impossible to provide vocational training. There are no specialized security staff, despite the fact that the detained juveniles react with hostility against their loss of freedom and spend their time thinking of how to escape. Although there are only four rooms with accommodation for a maximum of 30 persons, the Centre holds more than 135 detained juveniles aged from 13 to 17. Owing to the shortage of beds and mattresses, the inmates sleep two or three to a bed. All these factors account for the despair felt by the centre's staff at the silence of the Government, which offers no solution to the problems of detained juveniles.

9. Central America's common denominator is thus the general absence of laws and administrative decisions giving legal effect to the norms set forth in the Convention on the Rights of the Child. Many of the rights recognized by the Convention are not reflected in national laws. There is a lack of State programmes and legislation to ensure that the requirements of the Convention are met. For example, the guarantees of due process of law for juveniles are regulated in accordance with criminal law intended for adults, in contravention of many of the rights laid down by the Convention.

10. In actual fact, the prevailing trend in the countries of Central America is towards even severer penalties and punishments, with direct consequences for juvenile offenders, mainly as a result of recently adopted special laws on juvenile delinquency, laws on juvenile offenders and emergency crime laws. In El Salvador, article 22 of the Emergency Crime Law is a blatant violation of article 35 of the country's Constitution and of the Convention on the Rights of the Child, as it lays down extremely harsh penalties in terms of detention sentences for juvenile offenders aged between 14 and 18. In Honduras, the guarantee of due process of law for juveniles is regulated by the Juvenile Jurisdiction Act, which contravenes many of the rights laid down in the Convention. Although international law takes precedence over domestic law, Honduran judges continue to apply the Act. There are only two juvenile courts in Honduras, an indication of the paucity of resources available to provide justice for minors. The situation is such that when there are no juvenile courts, juvenile offenders are brought before the ordinary courts which, as is well known, are not prepared to deal with them.

11. Although serious violations of the rights of juveniles are undoubtedly committed throughout the whole of Central America, the cases of Honduras and Guatemala stand apart from the others. There is no political will to provide genuine, alternative solutions to the situation of juvenile offenders. It is general practice to detain and deprive juveniles of their liberty without any consideration for preventive or educational measures or for reintegration into society. The general attitude is that juvenile offenders are responsible for delinquency within society and must therefore be exterminated.

12. Violations committed against minors are similar to the most cruel violations committed during wartime in Central America, and include extrajudicial executions, torture and enforced disappearance. They are compounded by the social discrimination and marginalization which further favour the extermination of juvenile offenders.

13. In the light of the situations described above, CODEHUCA supports the efforts of Casa Alianza and recognizes its valuable assistance to street children, which has caused it to be repudiated and constantly threatened by the State authorities in both Guatemala and Honduras. CODEHUCA and Casa Alianza therefore urge the Sub-Commission to express its views regarding the need to seek solutions to the constant violations of the rights of street children and juvenile offenders.

14. We also urge the Sub-Commission to be more searching and proactive in the resolutions it recommends for adoption by the Commission on Human Rights, regarding the implementation of the Convention on the Rights of the Child under the domestic law of each and every one of the States parties to the Convention. We also request that it adopt resolutions which include the need to investigate and punish all violations of the human rights of juvenile offenders and street children, with a view to eradicating impunity and enhancing the protection of fundamental rights and freedoms.

15. We reiterate our proposal that a special rapporteur be appointed by the United Nations to address the specific problem of the human rights of street children. For this problem to be addressed at international level, attention should be drawn to the constant violations of the rights of juveniles, and to the policies and analyses required to determine the causes of the situation, on the basis of which the Special Rapporteur may make appropriate observations and recommendations. The functions of the Special Rapporteur should include receiving information or communications relating to violations of the Convention on the Rights of the Child affecting street children. He should in addition respond to emergencies, request information from Governments and carry out field visits.